Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

UNCLASSIFIED

PAGE 01 MONTEV 02001 241219Z
ACTION ARA-10

INFO OCT-01 ISO-00 COME-00 EB-07 L-03 PRS-01 SSO-00
/022 W
----------241248Z 020501 /50 42
O 241146Z MAY 77
FM AMEMBASSY MONTEVIDEO
TO SECSTATE WASHDC IMMEDIATE 3904

UNCLAS MONTEVIDEO 2001

E.O. 11652: N/A
TAGS: EIND, UY
SUBJ: TRADENAME PROTECTION: THE WASHINGTON POST

REF: 10 FAM 337

1. EMBASSY HAS RECENTLY BECOME AWARE THAT A SMALL, LOCAL FIRM IS PLANNING TO PUBLISH A MONTHLY REVIEW, USING ARTICLES IN SPANISH, BUT UNDER THE "WASHINGTON POST" TRADENAME. UNDERNEATH THE LOGO, WHICH IS IDENTICAL TO THAT OF THE WASHINGTON POST IS THE INSCRIPTION, "FOR NORTH AMERICANS RESIDENT IN URUGUAY" IN SPANISH. THE PUBLISHER HAS PRODUCED A TRIAL EDITION FOR SAMPLE PURPOSES AND IS MAKING ATTEMPTS TO SECURE ADVERTISING.

2. WHEN INTERVIEWED, THE PUBLISHER, JOSE ALBERTO LORES COSTA, STATED THAT HE HAS SENT A COPY OF HIS SAMPLE EDITION TO THE WASHINGTON POST, BUT ADMITTED THAT HE HAS NO AUTHORIZATION FOR USE OF THE TRADENAME. HE CLAIMED THAT HE HAS REGISTERED THE TRADENAME IN ACCORD WITH LOCAL LAWS.

3. EMBASSY HAS INVESTIGATED AND FOUND THAT IT IS THE "DIRECCION DE LA PROPRIEDAD LITERARIA Y ARTISTICA" OF THE NATIONAL LIBRARY, MINISTRY OF EDUCATION AND CULTURE, WHICH AUTHORIZES USE OF SUCH TITLES. NOTICE OF THIS IN-
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 MONTEV 02001 241219Z

TENDED REGISTRATION WAS PUBLISHED IN THE DIARIO OFICIAL, APRIL 14-28, 1977. HOWEVER, OPPOSITION IS APPARENTLY POSSIBLE UNTIL MAY 28. IF OPPOSITION IS NOT FILED BY THAT DATE, IT IS POSSIBLE TO ASK FOR CANCELLATION OF THE REGISTRATION, (RECOURSO DE ANULACION), BUT THIS IS A LENGTHY PROCESS.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

4. COMMENT: THE EMBASSY HAS CONFIRMED THAT IT
CAN FILE PROTEST ON BEHALF OF THE WASHINGTON POST IF SO
DESIRED. IT SEEMS UNLIKELY THAT THIS PROPOSED PUBLICA-
TION IN URUGUAY COULD BE COMMERCIALLY PROFITABLE. HOWEVER,
IDENTIFIED AS THE "WASHINGTON POST" IT COULD SUCCESS-
FULLY RUN FOR A FEW ISSUES GATHERING ADVERTISEMENTS.
SEVERAL PERSONS WHO HAVE BEEN APPROACHED HAVE ASKED THE
EMBASSY IF THERE IS A RELATION WITH THE WASHINGTON POST.
IN ADDITION, THE GOVERNMENT, PRESS AND PUBLIC MAY SEE
STORIES IN THIS PROPOSED PUBLICATION AND ATTRIBUTE THEM
IN ERROR TO THE WASHINGTON POST.

5. ACTION REQUESTED: IN VIEW OF THE MAY 28 DEADLINE FOR
FILING OPPOSITION, PLEASE CONTACT THE WASHINGTON POST AND
INFORM THEM OF THE FOREGOING. AS THE EMBASSY IS APPARENTLY
IN A POSITION TO FILE OPPOSITION (SEE PARA 4), ITWOULD BE
PLEASED TO DO SO IF THE WASHINGTON POST SO WISHES.
THE WASHINGTON POST MAY ALSO WISH TO RETAIN LEGAL
COUNSEL HERE TO ACT ON ITS BEHALF IN THIS MATTER. THE
EMBASSY BELIEVES, BASED ON THE INFORMATION NOW AVAILABLE,
THAT IF OPPOSITION IS FILED IN TIME, THE MATTER
CAN PROBABLY BE CLOSED RAPIDLY.
HAAHR

UNCLASSIFIED

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRADEMARK INFRINGEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 24-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MONTEV02001
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770184-1059
Format: TEL
From: MONTEVIDEO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770524/aaaaaulo.tel
Line Count: 85
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 48bb568b-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2392278
Secure: OPEN
Status: NATIVE
Subject: TRADENAME PROTECTION: THE WASHINGTON POST
TAGS: EIND, SOPN, UY, US, THE WASHINGTON POST, (LORES COSTA, JOSE ALBERTO)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/48bb568b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009